

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, September 21, 2004, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Campbell, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Norby, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

James McConnell, Washington, D.C. Legislative Advocate provided a legislative update

Chairman Wilson presented a resolution proclaiming September 2004 as "Alcohol and Drug Prevention, Treatment and Recovery Month"

Chairman Wilson presented a resolution proclaiming September 19-25, 2004 as "National Older Workers Employment Week"

Chairman Wilson presented a resolution recognizing Orange County Chapter of the America Research Center in Egypt

Chairman Wilson presented a resolution recognizing Center for Demographic Research and its Director, Dr. William Gayk

Supervisor Smith presented a resolution proclaiming September 20-24, 2004 "National Adult Day Services Week"

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II. CONSENT CALENDAR (Items 1-8)

13245 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 8 WHICH WAS
PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Smith** - Comprehensive Economic Development Strategy Committee - Appoint Deborah Sanchez, Santa Ana, to complete term ending 7/1/06

COMMENDATIONS/PROCLAMATIONS

2. **Chairman Wilson** - Adopt resolution commending Walter Krause on his retirement
RESO: 04-259

INTEGRATED WASTE MANAGEMENT DEPARTMENT

3. Approve price agreement N1000006127 with RES Environmental Inc. for landfill gas, ambient air sampling and monitoring services, Olinda Alpha Landfill and former Villa Park refuse disposal station, 10/1/04 - 9/30/07 (\$225,000); renewable for two additional years (\$75,000 per year) - District 3

JOHN WAYNE AIRPORT

4. Approve price agreement N1000006164 with Softchoice Corporation for Microsoft Applications Licenses, 10/1/04 - 9/30/07 (\$76,374); renewable for one additional year (\$25,458); and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

5. Approve price agreement N1000006177 with Sonshine Glass & Mirror for glass repair and replacement services at various County locations, 10/1/04 - 9/30/05 (\$45,000); renewable for four additional years; and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

Sheriff-Coroner:

6. Accept grant funds from U.S. Department of Justice and approve Memorandum of Understanding with State Department of Justice for No-Suspect Casework DNA Backlog Reduction Program (\$47,995) - All Districts
7. Adopt resolution approving standard agreement 04-011-178 with State of California to present Commission on Peace Officer Standards and Training Driving Simulator and Force Option Simulator courses; and authorize Sheriff-Coroner or designee to execute contractor certification (Form CCC103), 7/1/04 - 6/30/05 (\$252,800) - All Districts
RESO: 04-260

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GENERAL ADMINISTRATION

8. **County Executive Office** - Receive and file Orange County Employees Retirement System
Comprehensive Annual Financial Report, year ended 12/31/03 - All Districts

12345 **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 9-17)

JOHN WAYNE AIRPORT

9. Receive bids and award contract to Sully-Miller Contracting, Inc. for taxiway E rehabilitation project (\$3,361,610); and make California Environmental Quality Act findings - District 2
23145 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

10. Approve amended agreement with GKK Corporation for design work of South County Courthouse, Phases II and III (\$1,389,730); and authorize RDMD to direct GKK Corporation to proceed with subsequent phases subject to Board approval - District 5
51234 **APPROVED AS AMENDED TO APPROVE RECOMMENDATION NO. 1 AND DIRECTED STAFF TO RETURN TO THE BOARD AT A LATER DATE WITH RECOMMENDATIONS FOR FUTURE PHASES**
11. Receive and file Public Safety and Natural Resource Protection Report; authorize RDMD to proceed with Implementation Action Plan and within six months provide status reports to Harbors, Beaches and Parks Commission and Board of Supervisors - All Districts
52134 **APPROVED AS RECOMMENDED, SELECTED SUMMARY ALTERNATIVES 2A AND 2B AS LISTED ON PAGES 2 AND 3 OF THE AGENDA STAFF REPORT AND DIRECTED STAFF TO RETURN TO THE BOARD WITH IMPLEMENTATION PLAN**
12. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve price agreement N1000006201 with West Coast Arborist Inc. for annual tree trimming services, 10/1/04 - 6/30/05 (\$508,500); and make California Environmental Quality Act findings - All Districts
23145 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

13. Approve agreements with various providers for Families and Communities Together services, 10/1/04 - 6/30/05 (\$1,687,498); and authorize Agency to extend agreements under certain conditions - All Districts
31245 **APPROVED AS RECOMMENDED**
14. Approve master agreement CSH2503-00 for foster family agency services to foster youth, through 6/30/06; and authorize Director or designee to execute individual agreements - All Districts (Continued from 9/14/04, Item 51)
13245 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

15. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
DISCUSSED

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16. Exercise option pursuant to current agreement with James F. McConnell, Jr. for Washington, D.C. Federal Advocacy Services, and approve new agreement with a five percent increase, 1/5/05 - 12/31/06 - All Districts
- 34125 **APPROVED AS AMENDED, DIRECTED STAFF TO EXERCISE REMAINING 2 YEAR EXTENSION ON CURRENT AGREEMENT WITH A 2 ½% INCREASE IN 2005 AND AN ADDITIONAL 2 ½% INCREASE IN 2006**
17. **Supervisor Silva** - Approve dedicating and renaming Mile Square Regional Park in honor of President Ronald W. Reagan; and direct staff to return to the Board in 30 days with status report
- B.O. **CONTINUED TO 10/19/04, 9:30 A.M.**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS5)

GENERAL ADMINISTRATION

County Counsel:

- CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: John Michael Dannelly v. Orange County Child Support Services, et al., USDC Case No. SACV 03-0152 DOC (MLGx)
- B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF JOHN MICHAEL DANNELLY V. ORANGE COUNTY CHILD SUPPORT SERVICES. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF THE CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**
- CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Bryan Thatcher v. County of Orange, OCSC Case No. 03CC13867
- B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF BRYAN THATCHER V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

County Executive Office:

- CS-3. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Susan Paul
Employee Organizations: Association of Orange County Deputy Sheriffs, American Federation of State, County and Municipal Employees Local 2076, United Domestic Workers of America, NUHHCE, AFSCME, AFL-CIO
- B.O. **HELD, NO REPORTABLE ACTION**

S U M M A R Y A C T I O N M I N U T E S

- SCS4 . PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:
Title: County Executive Officer
B.O. **HELD, NO REPORTABLE ACTION**
- SCS5 . CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government
Code Section 54956.8:
Property: 561 The City Drive South, Orange, CA
Agency Negotiator: Tony Ferrulli
Negotiating Party: Orange County Transportation Authority
Under Negotiation: Price and terms of payment
B.O. **HELD, NO REPORTABLE ACTION**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Lilian Nguyen, Rosemary Dowd, Cecilla York Oral Re: UDWA provider wage and benefits

Darrell Nolta Oral Re: Discussed opposition to name change of Miles Square Park and public safety terrorist training activities

BOARD COMMENTS:

Supervisor Campbell - Oral Re: Discussed the need for public safety agencies to provide terrorist threat response training exercises

Supervisor Norby - Oral Re: Advised Board of his participation in a California Association of Mental Health Boards meeting with a caucus of under equity counties on Friday, 9/24/04 to discuss mental health equity

ADJOURNED: 12:35 P.M.

14235 **Adjourned in memory of Lance Corporal Derek Gardner**

52134 **Adjourned in memory of Lance Corporal Rafael Reynosa**

*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

Right Margin Notes

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order
- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board